



Attorney's Docket No.: 11333-011001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : James R. Hansen

Art Unit : 2175

Serial No. : 09/667,737

Examiner : Yicun Wu

Filed : September 22, 2000

Title : RETRIEVING DATA FROM A SERVER

Mailstop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**COPY
RECEIVED**

JUL 29 2004

Technology Center 2100

PETITION TO WITHDRAW ERRONEOUS NOTICE OF ABANDONMENT

Applicant received a Notice of Abandonment dated June 30, 2004. The Notice of Abandonment (copy enclosed) indicated that Applicant failed to respond to the action dated February 23, 2004. However, the fully extended period for response to the February 23rd action does not expire until August 23, 2004. Therefore, Applicant submits that the Notice of Abandonment is erroneous. A telephone conversation on July 13, 2004 with Examiner Yicun Wu confirmed that the Notice of Abandonment was erroneous.

In view of the foregoing, Applicant respectfully requests withdrawal of the Notice of Abandonment.

Please apply any fees required for this Petition to Deposit Account No. 06-1050.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

7-13-2004

Date of Deposit

Sharon Fernald

Signature

SHARON FERNALD

Typed or Printed Name of Person Signing Certificate

Applicant : Adam T. Lake, et al.
Serial No. : 09/427,380
Filed : October 25, 1999
Page : 2

Attorney's Docket No.: 10559-046001 / p7405

Applicants' undersigned attorney can be reached at the address shown below. All telephone calls should be directed to the undersigned at 617-521-7896.

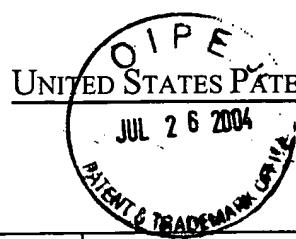
Respectfully submitted,

Date: July 13, 2004



Paul A. Pysher
Reg. No. 40,780

Fish & Richardson P.C.
225 Franklin Street
Boston, Massachusetts 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906
20897888.doc



UNITED STATES PATENT AND TRADEMARK OFFICE

JUL 26 2004

PAP
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/667,737	09/22/2000	James R. Hansen	11333-011001	9978
26161	7590	06/30/2004	EXAMINER	
FISH & RICHARDSON PC			WU, YICUN	
225 FRANKLIN ST			ART UNIT	PAPER NUMBER
BOSTON, MA 02110			2175	7

DATE MAILED: 06/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED

JUL 29 2004

Technology Center 2100

Docketed By Practice Systems	
Action Code: <i>Abandonment - PTO emr</i>	
Base Date:	6/30/04
Due Date:	8/30/04
Deadline:	8/30/04
Initial:	<i>ck</i>

RECEIVED

JUL 02 2004

FISH & RICHARDSON, P.C.
BOSTON OFFICE

Docketed By Billing Secretary
Due Date:
Deadline:
Initials:

JUL 26 2004

U.S. PATENT & TRADEMARK OFFICE

Notice of Abandonment

Application No.

09/667,737

Examiner

Yicun Wu

Applicant(s)

HANSEN, JAMES R.

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. Applicant's failure to timely file a proper reply to the Office letter mailed on 23 February 2004.
 - (a) A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) No reply has been received.

2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) The issue fee and publication fee, if applicable, has not been received.

3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) No corrected drawings have been received.

4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

6. The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

7. The reason(s) below:

RECEIVED

JUL 29 2004

Technology Center 2100

 DIANE D. MIZRAHI
 PRIMARY PATENT EXAMINER
 TECHNOLOGY CENTER 2100

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



RECEIVED

JUL 29 2004

Technology Center 2100

Attorney's Docket No. 11333-011001	Express Mail Label No.	Mailing Date July 13, 2004	<p>For PTO Use Only <i>Do Not Mark in This Area</i></p>
Application No. 09/667,737	Filing Date September 22, 2000	Attorney/Secretary Init PAP/PAP/sl	
Title of the Invention RETRIEVING DATA FROM A SERVER			
Applicant James R. Hansen			
Enclosures -Petition to Withdraw Erroneous Notice of Abandonment (2 pgs.) -Copy of Notice of Abandonment (2 pages)			
FR			